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1008 Rec'd PCT/PTO

03 MAY 2001

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23911

PATENT TRADEMARK OFFICE

May 3, 2001

BOX PCT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Attorney Docket No. 1574/49884

Re: Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)
Concerning a Filing Under 35 U.S.C. §371

International Application No.: PCT/FI00/00819
International Filing Date: 25 September 2000

Priority date claimed: 29 September 1999
Priority application number: 944556

Inventorship: Kristiina YLIHONKO, et al.

Title: THE GENE CLUSTER INVOLVED IN ACLACINOMYCIN
BIOSYNTHESIS, AND ITS USE FOR GENETIC
ENGINEERING

Enclosed herewith for entering the national stage in the
United States is the above-referenced international
application.

1. [X] This is a FIRST submission of items concerning a
filing under 35 U.S.C. §371.
2. [] This is a SECOND or SUBSEQUENT submission of items
concerning a filing under 35 U.S.C. §371.
3. [X] This express request to begin national examination
procedures (35 U.S.C. §371(f)) at any time rather
than delay examination until the expiration of the
applicable time limit set in 35 U.S.C. §371(b) and
PCT Articles 22 and 39(1).

09/830994

JC08 Rec'd PCT/PTO 03 MAY 2007

INTERNATIONAL APPLN. NO.: PCT/FI00/00819
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4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
- a. X is transmitted herewith (required only if not transmitted by the International Bureau).
- b. _____ has been transmitted by the International Bureau. A copy of Form PCT/IB/308 is attached hereto.
- c. _____ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
- a. _____ are transmitted herewith (required only if not transmitted by the International Bureau)
- b. _____ have been transmitted by the International Bureau
- c. _____ have not been made; however, the time limit for making such amendments has NOT expired
- d. X have not been made and will not be made
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
9. ☒ An oath or declaration of the inventors (35 U.S.C. §371(c)(4)) is:
- ☒ Attached in the regular manner.
- ☐ NOT included, but deferred under P.L. 97-247.

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10. [] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5))
11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [] An Assignment of the invention in favor of the following organization is enclosed for recordation. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [X] A FIRST Preliminary Amendment.
[] A SECOND or SUBSEQUENT Preliminary Amendment.
14. [] A substitute specification.
15. [] A change of power of attorney and/or address letter.
16. [X] Other items of information:
[X] International Search Report
[X] 4 Sheets of Formal Drawings
[] Sheets of Informal Drawings
[X] A paper and computer readable copy of a Sequence listing, with a statement under 37 C.F.R. §1.821(f).
[X] A statement of revocation of restrictions/conditions of deposited biological material.
[X] Kindly appoint as associate attorneys (if not already a principal attorney) or agents:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169

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[X] The total amount due for the filing fee in this case is:

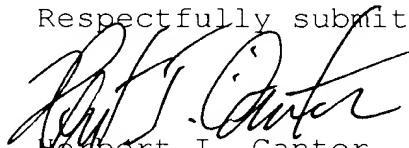
[X] Based on Small Entity Status

Total Number of Claims: 22
Total Independent Claims: 1

Basic filing fee, \$860/\$430.	\$ <u>430.00</u>
Independent Claims above 3, \$80/\$40 ea.. . . .	\$ <u> </u>
Total claims in excess of 20, \$18/\$9 ea.	\$ <u>18.00</u>
Multiple dependency penalty, \$270/\$135	\$ <u>135.00</u>
Declaration surcharge, \$130/65	\$ <u> </u>
English translation surcharge, \$130	\$ <u> </u>
 TOTAL FILING FEE DUE	 \$ <u>583.00</u>

Please forward all communications regarding this application to the undersigned at the letterhead address.

Respectfully submitted,


Herbert I. Cantor
Reg. No. 24,392

HIC/tcv

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY FEES WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 05-1323. THIS FORM IS FILED IN DUPLICATE.

THIS IS A GENERAL AUTHORIZATION EXCLUDING ONLY PAYMENT OF THE ISSUE FEE.

09/830994

JC08 Rec'd PCT/PTO 03 MAY 2001

Attorney Docket: 1574/49884
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KRISTIINA YLIHONKO ET AL.

Serial No.: NOT YET ASSIGNED

Filed: MAY 02, 2001

PCT APPLICATION: PCT/FI00/00819, FILED September 25, 2000

Title: THE GENE CLUSTER INVOLVED IN ACLACINOMYCIN BIOSYNTHESIS,
AND ITS USE FOR GENETIC ENGINEERING

**STATEMENT OF REVOCATION OF RESTRICTIONS/CONDITIONS OF
DEPOSITED BIOLOGICAL MATERIAL**

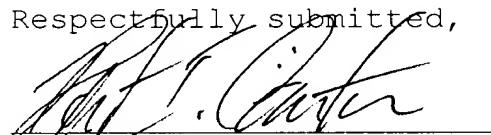
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby state that the microorganisms deposited with Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH on August 12, 1999 under deposit accession nos: DSM 12998 and 12999 have been deposited under the Budapest Treaty and the microorganisms will be irrevocably and without restriction or condition released to the public upon issuance of a patent.

Respectfully submitted,

May 2, 2001


Herbert I. Cantor
Registration No. 24,392

HIC:OAT

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